

UNITED STATES DISTRICT COURT

for the  
Southern District of Ohio

GARY MOLEN

*Plaintiff*

v.

Deb Timmerman-Cooper, Warden

*Defendant*

Civil Action No. 3:11CV304

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) \_\_\_\_\_ recover from the  
defendant (*name*) \_\_\_\_\_ the amount of  
\_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes prejudgment  
interest at the rate of \_\_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_\_ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_  
\_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_.

☒ other: that Gary Molen take nothing and that the Petition for a Writ of Habeas Corpus is DISMISSED with Prejudice. The Anticipated Request for Certificate of Appealability and Motion for Leave to Proceed In Forma Pauperis is DENIED.

This action was (*check one*):

☐ tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.

☒ decided by Judge Walter H. Rice on a motion for

Order for Report and Recommendations

Date: 09/28/2012

CLERK OF COURT

s/ K. Ernst

Signature of Clerk or Deputy Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
Western DIVISION

_____ GARY MOLEN <i>Plaintiff</i>	: : : : : : : : : :	
vs		Case Number: 3:11CV304
_____ Deb Timmerman-Cooper, Warden <i>Defendant</i>		

NOTICE OF DISPOSAL PER SOUTHERN DISTRICT OF OHIO LOCAL RULES  
79.2(a)&(b)

The above captioned matter has been terminated on 09/28/2012.

If applicable to this case, the disposal date will be six (6) months from the above termination date.

Rule 79.2(a) Withdrawal by Counsel:

All depositions, exhibits or other materials filed in an action or offered in evidence shall not be considered part of the pleadings in the action, and unless otherwise ordered by the Court, shall be withdrawn by counsel without further Order within six (6) months after final termination of the action.

Rule 79.2 (b) Disposal by the Clerk

All depositions, exhibits or other materials not withdrawn by counsel shall be disposed of by the Clerk as waste at the expiration of the withdrawal period.

JAMES BONINI, CLERK

By: s/ K. Ernst  
Deputy Clerk